

Regular Meeting of the Mayor and Council
City of Woodstock, Georgia
Woodstock Municipal Complex * 103 Arnold Mill Road
www.woodstockga.gov

MINUTES
MONDAY, JUNE 18, 2007

REGULAR MEETING OF THE MAYOR AND COUNCIL
7:00 PM

PRESENT: Mayor Donnie Henriques; Council: Randy Brewer, Liz Baxter, Bud Leonard, Bob Mueller; Chris Casdia, Steve Faris, Staff: Jim Gleason, City Manager; Rhonda Pezzello, City Clerk; Fran Diedrich, Human Resource Director; Gena Kelley, Finance Director; Jarvis Middleton, Public Works Director; Ric Moss, Police Chief; Donna Godfrey, Community Affairs Director; Richard McLeod; Planning and Economic Development Director; Dave Soumas, Asst Fire Chief; Patti Hart, P&Z Administrator; Brian Stockton, Senior Planner; Eldon Basham, City Attorney and Susan Stuart, Assistant City Attorney.

ITEM 1: MEETING CALLED TO ORDER BY MAYOR HENRIQUES (7:05:50)

ITEM 2a: RECOGNITION OF GUESTS AND VISITORS/PROCLAMATIONS

Presentation of Police Memorial Event Picture by Tom and Vicky Samuels (7:06:01)

ITEM 2b: EXECUTIVE SESSION –Litigation

Motion to adjourn into Executive Session for litigation – Brewer/Mueller – all in favor – motion carried 6-0 (7:08:41)

Motion to reconvene into Regular Session – Mueller/Brewer – all in favor – motion carried 6-0 (8:51)

ITEM 3: ANNOUNCEMENTS/INFORMATIONAL ITEMS/PROJECT UPDATES (8:53:47)

Mayor announced that item 10 - Report from Staff on Three Development Issues Discussed by Thais Escondo at the 6/11/07 Council Meeting – has been pulled from the agenda. The City Attorney will be reviewing and a report will be available by the end of the week.

A. Announcements (8:53:47)

6/25/07 Regular Council Meeting Cancelled – the 6/18/07 Work Session will also be a Called Council Meeting.

7/4/07 July 4th Festivities

B. Informational Items n/a

C. Project Updates

- 1) Impact Fee Methodology Report Update (McLeod) (8:54:31) Richard McLeod to have Bill Ross and Associates attend the July work session. Council will review information provided tonight and give any questions/comments to Richard prior to that meeting.

- 2) Fireworks Fire Hazard Update (Soumas) (9:07:37)
Motion to follow Fire Marshall's recommendation to cancel show due to recent drought conditions – Leonard/Mueller - all in favor – motion carried. Watering restrictions were reiterated by Assistant Chief Soumas.

- 3) Presentation of Council Policy Manual (Pezzello) (9:16:07)

The City Clerk distributed a draft "Council Policy Manual" which listed the following policies that have been implemented by City Council. The policy is currently being reviewed by the City Attorney and will be brought back at a work session for discussion.

000 ADMINISTRATION AND GOVERNMENT

000-0000 Code of Conduct
000-0001 Council Policy Manual
000-0002 Civility Code
000-0003 Public Hearings and Participation
000-0004 Agenda's and Minutes for Council, Boards and Committees
000-0005 Towne Hall Meetings
000-0006 Agenda Setting Policy
000-0007 Council Approval – What Must Be Approved by Council
000-0008 Chain of Command
000-0009 Oath of Office/Swearing In of Mayor and Council

100 ENGINEERING, BUILDING AND CONSTRUCTION

100-0001 Model Home Construction Prior to Final Platting

200 FINANCE AND ACCOUNTING

200-0001 Use of City Vehicles by Off-Duty Police Officers
200-0002 Authorization to Manage Accounts
200-0003 Bank Account Signatures – Municipal Court
200-0004 Bank Account Signatures – General Fund, Payroll, SPLOST, W/S, LGIP and Tree Preservation Accounts.

300 GENERAL

300-0001 Recognition of Outgoing Committee Members
300-0002 Community Investment Funding Program
300-0003 Open Records Policy
300-0004 E-Mail Records Retention for Exchange Server
300-0005 Records Management Policy

400 STREETS, MAINTENANCE AND OPERATIONS

400-0001 Traffic Calming Policy

500 HUMAN RESOURCES AND PERSONNEL

500-0001 Travel While on City Business
500-0002 Safety Policy Statement

600 PUBLIC HEALTH AND SAFETY

700 PLANNING, ZONING AND ECONOMIC DEVELOPMENT

700-0001 Annexation of Unincorporated Islands
700-0002 Multi-Family Residential Goals (Planning Policy)
700-0003 Limit on # of Cases Heard by Planning Commission and/or ZBA

800 UTILITIES – WATER, SEWER AND STORMWATER

800-0001 Irrigation Meter Policy
800-0002 Reconnect Policy – Utility Billing
800-0003 Landlord Policy – Utility Billing

ITEM 4: APPROVAL OF MINUTES (Pezzello) (9:16:57)

June 11, 2007 Regular Council Meeting Minutes

Motion to approve – Mueller/Leonard – all in favor – motion carried.

ITEM 5: PUBLIC COMMENT

Craig Ormsby – (9:17:25)

David Waldrop – (9:22:50)

Ben Garner – (9:23:59)

ITEM 6: CONSENT AGENDA (9:25:55)

Motion to pull Item 6A from consent and move to old business, pull item 6C for discussion, – Faris/Leonard – all in favor – motion carried.

Motion to approve items 6 B, F & G – Mueller/Brewer – all in favor – motion carried.

Motion to table Items 6 D & E – Brewer/Mueller – all in favor – motion carried.

A. Contract – Granicus – Video Streaming of Council Meetings (Godfrey) (*Moved to Old Business*)

B. 1st Reading – Ord. #011-2007 - Ch. 70 Personnel Ordinance Revision (7K Employees) (Diedrich)
(Approved 1st Reading)

Revisions are proposed for Section 70-43(2), "Work periods" transitioning the work period for sworn police department personnel from a consecutive-day period of 28 days to a consecutive-day period of 14 days pursuant to Section 207(k) of the Fair Labor Standards Act. This will provide for ease of administration regarding the biweekly payroll process and place the City in compliance with a practice enacted by Acting Police administration on 7-1-06.

C. 1st Reading – Ord. #012-2007 Revision to Code 58-32 and 6-107 Pertaining to Firearms (Moss) (9:28:34) (Approved – 1st Reading)

A conflict between Woodstock ordinances 58-32 and 6-107 and OCGA 16-11-173(b)(1) pertaining to the carrying of firearms by civilian personnel in the city limits. This issue was reviewed by the City Attorney who recommends the ordinance be omitted from the code.

Motion to approve omitting the last sentence in 58-32 and all of 6-107 – Brewer/Faris – all in favor – motion carried.

D. Council Policy Manual – Policy Establishing the Manual (Pezzello) (*Tabled*)

This policy establishes the Council Policy Manual and gives the purpose for the manual and guidelines for inclusion in the manual.

E. Council Policy Manual - Towne Hall Meeting Policy (Pezzello) (*Tabled*)

This policy establishes the Towne Hall Meetings Policy.

F. Contract – BCBS (for web access) and COBRA Solutions (Diedrich) (Approved)

Human Resources requests approval for HR personnel to have Employer Access to the internet for data entry, administration, and web management of the medical and dental insurances. This

would include but is not limited to any enrollments, terminations and changes that would need to be made to employee profiles.

G. Award Bid – Castle Painting – For Interior Painting of Community Center (Godfrey) (Approved)

Water damage and general maintenance warrant a new coat of paint and repairs to the inside of the Community Center. Building must be kept in an attractive condition to maintain wedding and event bookings, as well as to provide a comfortable environment for the senior program. Staff has been regularly touching up the paint on the walls for the past year and a half to extend the life of the older paint job for as long as possible. The current paint job was already several years old at the time the facility was purchased by the City in 2005. We are submitting three bids for your review.

Ace Pro	\$14,800
Castle Painting	9,260
Atlanta Southern	8,240

We recommend awarding the bid to Castle Painting. They are the mid-level bid, and have done excellent work for us in the past

ITEM 7: PETITIONS AND COMMUNICATIONS

A. 2nd Reading – Fiscal Year 2008 Annual Operating Budget (Kelley) (0:31:26)

Public Hearing was held on 5/21/07. No one spoke either for or against the proposed budget. Council tabled the 1st reading so that some questions could be answered. The 1st Reading was approved on 6/11/07 with the following amendments:

RECAP OF FINAL VOTE:

1. SPLOST III/Capital Equipment Fund Swap: Per City Manager's E-Mail to Council Member Faris dated 5/30/07 at 3:37 pm-

"One place to look is using SPLOST III to fund some of the capital requests for 2007-2008. The total Capital requested in Public Safety is \$597,109. The total in Streets is \$319,000. Take the money from Towne Lake-Arnold Mill Widening & Improvements which is funded for \$1,050,000. You can leave the balance for some ROW acquisition and have the difference come from the TAD Financing. If you also want to fund an additional \$319,776 for Capital in the Streets Department this could also come from the \$1,050,000. You could then move the entire \$1,050,000 to Phase I of the TAD.

Police - \$360,717 + Fire - \$236,392 + Streets - \$319,000 = \$916,109 (Total)

This would then require only \$2,169,740 to come from General Fund Reserve leaving a GF Reserve Balance of \$4,234,973 which represents a 26.7%. The \$597,109 would eventually come out of the balance of \$800,000 due Public Safety in SPLOST III. The \$319,000 in streets would come out of the \$7.5 million expected for Transportation in SPLOST III. To make SPLOST III balance for 07-08 it would need to come from a listed project and the money would be reallocated in future years."

2. Personnel Deletions

- a. Eliminate the three administrative (court/records) positions as requested by Chief Moss - reevaluate in a few months to see if 911 issue resolves itself due to a grant being issued to Cherokee County by State.

- b. Eliminate the part-time receptionist position for Community Affairs.
- 3. Capital Fund Addition

Increase Parks and Recreation Capital Fund by \$25,000 to fund improvements to playground at Dupree Park.
- 4. DDA Funding Request

Leave the anticipated revenue for Hotel/Motel Tax at \$100,000 as projected by staff to be paid to DDA/CVB for operating expenses, however Council Member Faris feels this dollar amount will be higher since we have found the hotel underreporting; put \$50,000 in contingency line item (general fund) and hold until after a joint work session/training with DDA/CVB. Request that DDA/CVB not allocate these funds for any projects/advertising until Council directs.
- 5. Leave Mayor and Council Travel and Training as is and allow each elected official to choose which trainings they want to attend
- 6. Motion to approve expenditure for Bell Park Lane Roadway – move from SPLOST 11 reserve fund to street construction line item in the budget to come out of the '06-07 budget – *Brewer/Faris – all in favor – motion carried 6-0.*

Budget 2nd reading – approve w/ changes as stated in 1-6 above – Mueller/Leonard – all in favor except Faris and Baxter – motion carried 4-2.

A. Public Hearing & 2nd Reading – Revision to Building Department Fee Schedule (Phelps) (9:41:47)

The proposed fee schedule is revised to provide for the higher cost of operation of the Building Department as provided by law and to simplify calculation of various permit fees. The proposed increase is designed to fund the building section of departments operation on development. The simplified calculations are for compatibility with the existing permit software and preparation for the new. Fee schedule will become effective July 1, 2007. Such fees shall apply to all permits applied for after the effective date.

Public Hearing – no one signed up to speak.

Motion to approve – Mueller/Leonard – all in favor – motion carried.

New Fee Schedule Below:

Permit Fee Schedule. All permits issued by the Building Department shall be assessed the fee prescribed herein.

Prescribed fees.

A permit shall not be issued until all fees prescribed herein have been paid. Nor shall an amendment to a permit be released until the additional fees, if any, due to an increase in the estimated cost of the building, structure, electrical, plumbing, mechanical or gas systems, have been paid.

Work commencing before permit issuance.

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system or any work that requires a city permit before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee or one hundred dollars (\$100.00) which ever is the higher in addition to the required permit fees.

The above provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be obtained within three (3) business days and any unreasonable delay in obtaining those permit(s) shall result in a penalty as described above. The payment of a penalty shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

Building valuation.

Building permit fees are based upon the average cost of construction. If in the opinion of the building official the valuation shown

on the application is underestimated the building official may use the calculated valuation provided in the building valuation data published by the International Code Council (ICC) latest edition. The average costs includes structural, electrical, plumbing, mechanical, interior finish, normal site preparation, architectural and design fees, overhead and profit. The valuation is the same even if the owner is performing all work but shall exclude the actual cost of the land, or other site work costs not associated to the foundation, and any fees paid to other Governmental Regulatory Agencies for the land development.

A. COMMERCIAL MASTER BUILDING PERMIT

This sub-paragraph shall apply to all building permits not specifically identified in sub-paragraph B below.

Building Permit fee calculation:

1. Using the valuation provided or calculation of the building valuation from the building valuation data or from a source provided by the Building Official.
2. State the valuation rounded up to the next \$1,000.00 dollars.
3. Divide the rounded valuation by 1000 then multiply the result by \$4.00, the resulting dollar amount is the Building Permit Fee.

Example: Valuation of \$240,499.70 round up to next thousand = \$241,000 / 1000 = 241 x \$4.00 = \$964.00 Permit Fee.

Minimum Permit Fee: \$200.00

Additions:

Calculate as a Master Permit.

Internal build outs, alteration or remodeling:

Calculate valuation using \$45.00 per sq. ft. or as determined by the building official, then use the commercial formula above.

Plan Review Fee:

A plan review fee shall be assessed to each permit issued in an amount equal to one half (1/2) the Building Permit Fee. If in the opinion of the Building Official the construction plans and documents should be reviewed in more detail the applicant shall pay the total cost of such review.

Erosion Inspection Fee:

An Erosion Inspection Fee of \$100.00 shall be assessed to any building permit for new construction.

FOUNDATION ONLY PERMITS:

At the discretion of the building official Foundation Only permits may be issued upon a written request from the applicant following complete structural plan review. The fees for this type of permit are the same as stated above for a Building Permit and the total permit fee shall be paid before issuance of the permit. Construction may not proceed beyond the limits of the Foundation Only Permit until the Master Building Permit is issued.

B. RESIDENTIAL MASTER BUILDING PERMIT

This sub-paragraph shall apply to 1 and 2 family detached or attached residential dwellings, and townhouses as defined by the building code.

Building Permit fee calculation:

1. Establish the building valuation from the building valuation data or from a source provided by the Building Official.
2. State the valuation rounded up to the next \$1,000.00 dollars.
3. Divide the rounded valuation by 1000 then multiply the result by \$3.00 resulting dollar amount is the base Permit fee.

Valuation of \$240,499.70 round up to next thousand = \$241,000 / 1000 = 241 x \$3.00 = \$723.00 Permit Fee.

Minimum Permit Fee: \$50.00

Additions:

Calculate as a Master Permit

Internal build outs, alteration or remodeling:

Calculate valuation using \$30.00 per sq. ft. or as determined by the building official, then use the residential building permit calculation above.

Plan Review Fees:

A plan review fee shall be assessed to each permit issued in an amount equal to one half (1/2) the building permit fee and master plans.

Master Plans: A plan review fee shall be assessed to each master plan in an amount equal to one half (1/2) of the building permit fee for the dwelling.

A plan review fee shall be assessed to each permit issued under a master plan in an amount equal to one quarter (1/4) of the building permit fee.

Erosion Inspection Fee:

An Erosion Inspection Fee of \$100.00 shall be assessed to new construction of 1 or 2 family detached and attached residential building permits regardless of number of units.

Sub-Permits are issued on percentage of valuation.

Electrical includes low voltage .04% (.0004) Mechanical .03% (.0003) Plumbing .03% (.0003)
Gas .02% (.0002)

FOUNDATION ONLY PERMITS:

At the discretion of the building official Foundation Only permits may be issued upon a written request from the applicant following complete structural plan review. The fees for this type of permit are the same as stated above for a Building Permit and the total permit fee shall be paid before issuance of the permit. Construction may not proceed beyond the limits of the Foundation Only Permit until the Master Building Permit is issued.

C. RE-INSPECTION FEES FOR ANY TYPE PERMIT:

The following re-inspection fees shall be assessed for any inspection requested, scheduled and not ready or approved unless cancelled by the requester before the inspector arrives on site.

1st Re-inspection \$ 50.00; if corrections are not made and the re-inspection fails for any of the same remarks the following fees shall apply.

2nd Re-inspection \$ 100.00; if corrections are not made and the re-inspection fails for any of the same remarks the following fees shall apply.

3rd Re-inspection \$ 250.00 and work is stopped until corrections are completed. An additional \$250.00 for each re-inspection until approved and the stop work order is removed.

D. MECHANICAL PERMIT FEES:

New Single Family Residential Dwelling .03% (.0003) of building valuation.

Base Permit Fee \$30.00 plus the following fees that apply.

Heating, each unit	
0 to 300,000 BTU	\$10.00
300,000 to 1 million BTU	\$20.00
Over 1 million BTU	\$30.00

Air conditioning, each unit	
1 to 10 tons	\$10.00
11 to 30 tons	\$20.00
31 to 100 tons	\$25.00
101 tons and up	\$30.00

Refrigeration, each unit	
1 to 10 hp	\$10.00
10 to 30 hp	\$20.00
31 to 100 hp	\$25.00
Over 101 hp	\$30.00

Heat pump, 1 to 10 tons	\$10.00
Heat pump, 11 to 30 tons	\$20.00

KW strip, 0 to 300 K	\$10.00
KW strip, over 300 K	\$20.00

Grease hoods	
0 to 10 S.F.	\$10.00
11 to 25 S.F.	\$15.00
26 to 100 S.F.	\$20.00
101 S.F. and up	\$25.00

Bath Fans	\$10.00
Dryer Vents	\$10.00
Other	\$10.00
Minimum Heating Permit Charge	\$25.00
Private Utility Permit Fee	\$ 5.00

E. PLUMBING PERMIT FEES:

New Single Family Residential Dwelling .03% (.0003) of building valuation.

Base Permit Fee \$30.00 plus the following fees that apply.

Building Sewer to main	
inspection fee per connection	\$50.00
Water heater	\$ 5.00
Baptistery	\$ 5.00
Sewer ejector	\$10.00
Oil or grease sump pumps	\$10.00
Grease Trap (in-ground)	\$25.00
Sand trap	\$15.00
All other fixtures, appliances, drains, etc.	

connected to plumbing system, each \$ 2.50

F. ELECTRICAL PERMIT FEES:

New Single Family Residential Dwelling .04% (.0004) of building valuation.

Base Permit Fee \$30.00 plus the following fees that apply.

Services, Disconnects, Panels

Temp. Service Pole	\$20.00
30 Amps	\$ 5.00
60 Amps	\$ 6.50
100 Amps	\$ 7.50
125 Amps	\$ 8.50
150 Amps	\$10.00
200 Amps	\$12.00
400 Amps	\$16.00 + .04 / Amp for 401 and larger

Receptacles & Switches

Residential	\$.25
Commercial	\$.25

Residential Ranges

Surface Unit	\$ 3.50
Oven Unit	\$ 3.50
Comb Unit	\$ 6.50

Residential Appliances

Water Heater	\$ 4.00
Clothes Dryer	\$ 4.00
Dishwasher	\$ 1.50
Disposal Unit	\$ 1.50
Furnaces (Gas)	\$ 2.00

Flood & Area Lighting

100-300 Watts	\$ 1.00
400-1000 Watts	\$ 2.00
1001 and up	\$ 3.00

Transformers

10k VA or less	\$ 5.00
11k to 25k VA	\$ 7.50
Over 25k VA	\$12.00

Electric Heater, Furnaces & Appliances

Less than 1 kW	\$ 2.00
1.0 to 3.5 kW	\$ 3.00
4.0 to 10 kW	\$ 5.00
10.5 to 25 kW	\$ 7.50
Over 25 kW	\$ 7.50 + .10/ kW over 25

Lighting Fixtures

Residential	\$.30
Commercial	\$.35

Elevators

Elevators & Lift up to \$25,000.00	1% of cost
Elevators & Lifts over \$25,000.00	\$250.00 + ½ of 1%
Minimum fee for Elevators	\$ 70.00

Sign

\$25.00

Discharge System

\$ 1.50

Air Conditioning and Motors

Air Conditioner	\$ 7.50 + .50/ton
Refrigeration	\$ 7.50 + .50/ton

Bath Fan

See Chart Below

Vent Hood

See Chart Below

Roof Ventilator

See Chart Below

Ceiling Fan

See Chart Below

CHART FOR AIR CONDITIONING AND MOTORS

Less than 1	\$ 1.50 ea.
1 to 5	\$ 2.50 ea.
5 ½ to 10	\$ 3.50 ea.
10 ½ to 20	\$ 5.00 ea.
20 ½ to 59	\$10.00 ea.
60 and over	\$10.00 ea. + .02 /HP over 60

OTHER

Alteration / Repair	\$.04 / Amp
Gas Disp. Pump	\$ 5.00
X-Ray Machine	\$10.00
Jacuzzis	\$ 5.00
Swimming Pools, Spas and Hot Tubs	\$30.00
Construction and Sales Trailers	\$30.00
Mobile Homes	\$20.00
Amplifier	\$ 5.00
T.V. Controller	\$ 5.00
Communication Cont.	\$ 5.00
Low Voltage Cont.	\$ 5.00
Control Point, or Outlet (i.e., Smoke Detector Pull Station Horn, Electric Valve, Phone Jack) Each	\$.30

All new utility services on private property must be placed underground.

G. GAS PERMIT:

New Single Family Residential Dwelling .03% (.0003) of building valuation.

Base Permit Fee \$20.00 plus gas unit fees from the mechanical and plumbing

Each gas appliance \$ 5.00

Boilers inspected by the City \$10.00 SIGN PERMIT:

\$35.00 plus \$1.00 per square foot of sign area as calculated by the sign ordinance. A separate sign permit is required for each sign.

An electrical permit is required per the electrical fee schedule.

A commercial Master Permit is required for the supporting structure of free standing signs.

H. SWIMMING POOL PERMIT:

Use pool valuation and calculated as a Master Building Permits commercial or residential.

Electrical, Plumbing, Mechanical or Gas Permits

I. DEMOLITION PERMITS:

The City will issue Demolition permits for commercial / industrial construction, with written request from the applicant approved by the City. The fees for this type of permit are the same as stated above for a master building permit; except that no calculated CO Fee is charged by the square foot for this demolition, but rather a simple \$100.00 Letter of Completion Fee is assessed at the Demolition permit issue. Construction may not proceed beyond the demolition stage, until the City has issued a valid master building permit.

J. CELL TOWERS:

Commercial Master Permit schedules.

Antenna attachments \$75.00 per set plus electrical permit.

K. TEMPORARY CONSTRUCTION OR SALES TRAILERS:

\$100.00 set-up plus electrical, plumbing and mechanical as required.

L. LAND CLEARING AND TREE REMOVAL PERMIT:

Calculated on disturbed area \$200.00 for the first acre or portion thereof plus \$50.00 for each additional acre or portion thereof.

M. PAVING, SIDEWALKS, CURB & GUTTER PERMIT:

Use the construction valuation estimated by the design engineer and calculate as a commercial Master Permit.

N. WATER, SEWER OR STORMWATER PIPING PERMIT:

Use the construction valuation estimated by the design engineer and calculate as a commercial Master Permit.

O. PLAN REVISION OR AMENDMENTS:

\$10.00 per page/sheet that is revised or amended.

P. DOCKS OR BOATHOUSES:

Use the construction value and calculate as a residential Master Permit.

Q. ACCESSORY STRUCTURES:

Calculate as a Master Building Permit residential or commercial.

R. TENTS OVER 120 SQFT:

\$100.00 Plus electrical permit if electric is provided.

S. BLASTING PERMIT.

\$200.00

- B. Public Hearing/Vote: Z#033-07 - Rezoning Application by John Wieland Homes to rezone 87.25 acres located at 506 Main Street from DT-RO, DT-MRA and DT-LR to DT-RO, DT-MRA. (McLeod) (9:43:00)

The City of Woodstock has received an application from John Wieland Homes and Neighborhoods, Inc. of Atlanta, GA for Rezoning (Case Z#033-07). The property is located at 506 Main Street. The property is identified as tax map and parcel numbers 15N12 177, 176, 238. The property is zoned DT-RO, DT-MRA and DT-LR in The City of Woodstock and the request is to rezone to DT-RO, DT-MRA. The property is ±87.25 acres. *[Clerk's Note: Ordinance, Staff Report, Planning Commission Recommendation, DRC Recommendation, ARC Regional Review Finding, and GRTA Notice of Decision are all attached for reference.]*

Public Hearing – no one signed up to speak

Motion to approve with changes (see below) – Faris/Brewer – all in favor – motion carried 6-0

Changes:

Add Condition – Applicant will provide necessary easement to the City for the Noonday Creek Sewer line on their property;

Add Condition – City approves a variance not to exceed 60' for the three-story office/retail buildings within the DTRO zoning.

Add Condition – Applicant to stub out (build out road) to property line on north/south except road E where it meets old Walmart site – ROW will be dedicated to City (wording to be provided by the City Attorney). Covenants must reflect future road plans.

Add Condition – Staff and developer to work together to do an in-depth study of feasibility of a round-about at entrance to John Wieland property.

Add Condition – Change square footage of commercial space from 50,000 to 100,000.

Change condition #2 to say “conceptual grid network”.

Clarify #10 – City shall initiate acquisition of the necessary ROW from street G from the south to the existing cul-de-sac – the applicant shall be responsible for the road connection. Strike the holding per # of co's sentence.

ITEM 8: OLD BUSINESS

- A. Discussion of Public Works Building Site Preparations (Phase I) and Award of Grading Bid for 1st Phase of Site Preparations to Normark Properties in the amount of \$1,600,427 (\$538,062). (Middleton) (11:12:38)

The parking and expansion of the Public Works facility including a possible City Fueling Station was bid out. Due to the vast amount of site preparation that is required, Staff decided to present essentially a Phase I of the site work necessary to produce the ultimate desired site. A number of elements were delayed and others modified significantly (i.e. concrete parking lot to a gravel parking lot) to reduce the initial cost. Bids were received to perform the full scope and the bids were \$1,600,427 from Normark Properties and \$1,736,461 from Jasper Grading. Staff has pared down the cost to perform a Phase I construction and to maintain the site for future expansion to the full desired configuration by using Normark Properties bid for some elements and city forces for others. The cost of Phase I would then be \$538,062.

Motion to award bid to Normark Properties in the amount of \$538,062 – Brewer/Mueller – all in favor – motion carried 6-0

- B. BID Proposal – Granicus – Video Streaming of Council Meetings (Godfrey) (Moved from Consent Agenda Pending Approval of FY 08 Budget) (11:15:48) *Motion to table – Leonard/Brewer – motion carried 6-0.*

ITEM 9: NEW BUSINESS

- A. Consideration of New Color Scheme for Police Cars (Moss) (11:16:18)
Tabled at Chief Moss's Request – Will be brought back to Council pending approval of FY '08 Budget.

- B. EMERGENCY REQUEST FOR ADDITION TO AGENDA FOR DISCUSSION (11:16:18)
Emergency Authorization for Road Repair of Arnold Mill Road (Middleton)

Motion to approve repair at a cost not to exceed \$10,100. – Leonard/Mueller – all in favor – motion carried 6-0

ITEM 10: MAYOR AND COUNCIL COMMENTS

~~Report from Staff on Three Development Issues Discussed by Thais Escande at the 6/11/07 Council Meeting (McLeod)~~ Removed from agenda pending City Attorney's review.

Comp Plan Update (11:17:54)
Letter about Springfield Park (11:26:19)

ITEM 11: CITY MANAGER COMMENTS n/a

ITEM 12: EXECUTIVE SESSION –Personnel (11:26:45)

Motion to adjourn into Executive Session – Mueller/Faris – all in favor – motion carried.
Motion to reconvene into Regular Session – Leonard/Brewer – all in favor – motion carried.

ITEM 13: FINAL ADJOURNMENT (12:25)

Motion to adjourn – Mueller/Casdia – all in favor – motion carried.

As approved this 9th day of July, 2007.


Donnie Henriques, Mayor
Rhonda Pezzello, City Clerk

AFFIDAVIT

STATE OF GEORGIA
CITY OF WOODSTOCK

Personally appeared before me the undersigned officer duly authorized by law to administer oaths, came Donnie Henriques, Mayor of the City of Woodstock Georgia after being duly sworn and deposes and states on oath as follows:

My name is Donnie Henriques and I am the Mayor of the City of Woodstock, Georgia. I am over the age of eighteen years and mentally competent to give the facts herein, which are based upon my own personal knowledge.

I understand that this affidavit is being filed with the official minutes of a meeting held by the City of Woodstock, on the 18th day of June, 2007 (the "Meeting") in accordance with O.C.G.A. 50-14-4(b).

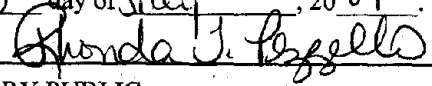
I hereby certify that the closed portion of the Meeting was devoted to matters within the exceptions provided by law as indicated below (choose one or ore of the following exceptions):

- ☐ Staff meeting held for investigative purposes under duties or responsibilities imposed by law;
- ☐ Meeting where the future acquisition of real estate was discussed. The authority understands that any such meeting remains subject to the requirements of the Georgia Open Meetings Act O.C.G.A. 50-14-1 et. seq.) the "Act" for the giving of the notice of such a meeting to the public and preparing the minutes of such a meeting; provided however, the disclosure of such portions of the minutes as would identify real estate had been completed, terminated, or abandoned or court proceedings with respect thereto initiated. ;
- ☒ Meeting where there is discussion of or deliberation upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee.
The authority understands that the portion of the meeting which involves the authority receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee must be open to the public in accordance with the Act. The authority also understands that a vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in the act shall be made available. The authority further understands that any meeting held to discuss or take action on the filling of a vacancy in the membership of the authority itself shall at all times be open to the public as provided in the act.
- ☒ Meeting in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the authority or any officer or employee or in which the authority or any officer or employee may be directly involved. The authority understands a meeting may not be closed for advice or consultation on whether to close a meeting.
- ☐ Meeting on tax matters which are otherwise made confidential by state law.

As sworn to this 3rd day of July, 2007.


Donnie Henriques, Mayor of Woodstock

Sworn to and subscribed before me,
this 3 day of July, 2007.


NOTARY PUBLIC

My Commission Expires: 6-27-09

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED

Description		
Present: Mayor and Council; Staff, Eldon Basham, Susan Stuart		
Date	Location	
6/18/2007	Regular Council Meeting	
Time	Speaker	Note
7:05:50 PM	Meeting Called to Order	
7:06:01 PM	National Police Memorial Week Photos	Tom and Vicky Samuels presented a framed photo of the 1st annual event held by the Police Department. They thanked Chief Moss for putting on this event for the community.
7:07:44 PM		The Council thanked Tom and Vicky for taking the time to do this for us.
7:08:18 PM		Our police department made a timely arrest this morning after Regions Bank at Hwy 92 and Hwy 5 was robbed.
7:08:41 PM	Executive Session	Potential Litigation - Brewer/Mueller. All in favor. Motion carried 6-0.
	Reconvene	8:51 pm. Motion - Mueller/Brewer. All in favor. Motion carried 5-0. (CM Casdia out of the room)
8:52:42 PM	Mayor	Announced that Item 10 A - Update from staff on three issues brought up by Thais Escondo at last meeting. This will be reviewed by the City Attorney and then a report will be available by the end of the week.
8:53:47 PM	Announcements	No meeting next week - Council will be at a conference.
8:54:13 PM		July 4th Festivities - parade at 10 am. Then events in park all day.
8:54:31 PM	Item 3C	1. Impact Fee Methodology Report
8:55:31 PM		Report given by Richard McLeod. The lowest percentage we can charge is 33.8%. Needs to be at that rate or above to have money to pay for projects. Residential per dwelling - commercial is per square foot.
8:56:35 PM		Real world examples were shown. Crescent Bank, Creekside Bank, Taco Mac, Taco Bell/Long John Silver, Los Bravos, Walgreen's.
9:00:29 PM		Communities that don't choose to charge 100% for impact fees all supplement with SPLOST, Grants, or General Fund.
9:01:17 PM		Fulton County has done away with their impact fees.
9:04:48 PM		Mayor was pleased with this information - this is exactly what he had asked for from staff for Council to digest. We will discuss this again at the July meeting.
9:05:36 PM		City Manager wanted the methodology reviewed because Jeff Wood in the audience questioned the math - its possibly not correct.
9:06:16 PM		Richard will ask Bill Ross of Ross and Associates to attend our July work session. Please forward any questions to Richard and he will forward to Mr. Ross - he will copy everyone on the answers.
9:07:37 PM	Item 3C	2. Fire Hazard Update - Fireworks

9 :07:54 PM		Risk of fire is dangerously high due to drought conditions - in his opinion, makes it do dangerous to have fireworks. Approximately 12" behind in rainfall. Dryest year ever. More flag warnings than ever in 2007. Consulted with Cherokee Co. EMA - short of a tropical event, doesn't see relief in site. Kingston Square subdivision residents have concerns.
9 :10:02 PM		Chief warned everyone that every year we have brush fires during fireworks that no one sees. Also concerned with the sale of fireworks in the City/County. Will cause them to run a lot of calls that night. Recommends we cancel the show.
9 :10:54 PM		We have gone 17 days at a time without rain.
9 :11:08 PM		Probate Judge called Dave Soumas wanting to know what we are going to do.
9 :11:46 PM		Donna Godfrey is working with Melrose to discuss other options - possibly move the fireworks to Labor Day or for Kidsfest. Will report back to Council next month or so.
9 :12:33 PM		Cartersville has cancelled theirs. Cherokee County is waiting to see what we do. Roswell is voting tonight. City of Atlanta and Lake Lanier are having theirs as of today.
9 :13:18 PM		CM Leonard hates to see them cancelled for biggest event of the year but due to public safety issues doesn't see what else we can do. Motion to follow Dave's recommendation to cancel - Leonard/Mueller. All in favor. Motion carried.
9 :14:36 PM		Odd - Tues, Thurs, Sun - Even - Mon, Wed, Sat
9 :14:50 PM		No outside watering on Friday. Only from midnight to 10 am.
9 :15:26 PM		Donna to put a notice on the website.
9 :15:47 PM		CM Brewer asked that he be notified when water restrictions change via email. Will send to entire Council.
9 :16:07 PM	Item 3C	3. Council Policy Manual Presented for Council to Review.
9 :16:57 PM	Item 4	Minutes - Mueller to approve/Leonard. All in favor. Motion carried 6-0.
9 :17:20 PM	Item 5	Public Comment
9 :17:25 PM		1. Craig Ormsby - Woodstock First Baptist
9 :17:47 PM		Thanked Council for work they've done in assisting them in their sewer smell issue. Noticed a great improvement. Thanked them for the services we provide to them. Shared a need they have for consideration. They are an odd address. Very strict on irrigation company. On Sunday mornings when people show up at 8 am or 9 am the water becomes a hazard. Asked if they could change to the Mon, Wed and Saturday dates instead of the odd address dates. Owns a house across the street that is an even address.
9 :22:05 PM		The Mayor asked that staff look into this and make sure there are no legal reasons why we couldn't grant this request.

9 :22:50 PM		2. David Waldrop - Little River Wrecker Service - Will be back to set the record straight on his name and his company.
9 :23:59 PM		3. Ben Garner - Member of Georgiacarry.org - grassroots firearms group. Contacted the City Manager and Police Chief regarding a conflict in our ordinance pertaining to firearms. Said thanks for our help and consideration and for the fast pace with which this has been handled.
9 :25:55 PM	Item 6	Consent Agenda Items
9 :26:02 PM		Table Item D and E at Attorney's request. Item A was pulled from consent and moved to old business - pulled item C for discussion - motion Faris/Leonard. All in favor. Motion carried.
9 :27:40 PM		Motion for Item 6 B, F and G - Mueller/Brewer. All in favor. Motion carried 6-0.
9 :28:03 PM		Motion to table Item 6D and E - Brewer/Mueller. All in favor. Motion carried 6-0.
9 :28:34 PM	Item 6C	Ord #012-2007 - Revision to Code 58-32; 6-107 Pertaining to Firearms. Our two codes were in direct conflict with State statute. The City Attorney has reviewed and recommended the two sections noted be omitted from the ordinances. (The last sentence in 58-32 and all of 6-107.
9 :31:26 PM		Motion to approve - Brewer/Faris. All in favor. Motion carried 6-0.
9 :31:43 PM	Item 7 A	2nd Reading - Budget FY 2008
9 :32:12 PM		Gena Kelley submitted a revised ordinance based on the vote last week.
9 :33:52 PM		CM Brewer asked about the 2nd phase of repairs for Bell Park - Bell Park Lane. Also, no money identified in the budget for the Haney Road round-a-bout.
9 :34:57 PM		The City Manager reported Chumley's has estimated \$104,000 +/- for Bell Park could take out of this year's budget. Authorize us to do it out of SPLOST II reserves. This will take care of all the repairs we need to take care of in the next 3-5 years.
9 :37:02 PM		City Manager recommended the Haney Road issue also be paid out of the SPLOST II reserves. Will find out where it can come out of by working with staff to identify. Don't necessarily need to earmark tonight.
9 :37:59 PM		\$104,533.10 - motion to approve expenditure for Bell Park Lane Roadway - move from SPLOST II reserve fund to street construction line item in the budget to come out of the '06-07 budget. Brewer/Faris. All in favor. Motion carried 6-0.
9 :40:29 PM		Budget - 2nd reading - approve w/changes. Mueller/Leonard. All in favor except Faris and Baxter. Motion carried 4-2.
9 :41:47 PM	Item 7B	Public Hearing & 2nd Reading - Mueller/Leonard. All in favor. Motion carried. No one signed up for the public hearing.

9 :43:00 PM	Item 7C	Public Hearing & Vote for Z#033-07 - John Wieland Homes - First dashboard view of a rezoning case. This is for Breezy Hill development. The dashboard shows taxes estimated to be collected, effect on schools, transportation and public safety. Not requesting increase of allowable density - just want more flexibility on layout. Planning to develop in the 500 unit range. Went through a DRI process with GRTA. There were 8 conditions of zoning attached to this request. One condition limits them to 609 units. Planning Commission approved unanimously.
9 :50:49 PM		A new revised ordinance (redrafted by Susan Stuart) was done today and handed out at meeting that listed 13 conditions of zoning.
9 :52:04 PM		Concerns about holding them to #10 because it connects to an offsite -privately owned property.
9 :53:42 PM		Jeff Wood stated there is existing MRA zoning allowing 180 apartments - wanted to limit them to the 180 because by changing the zoning they could have had 609 units.
9 :55:48 PM	Richard McLeod	Concerns over retail saturation - generating traffic on Main Street and can market sustain it. No scientific basis for square footage - settled on 50,000.
9 :56:42 PM	DRC Report - Jim Phelps	Approved from GRTA and ARC during DRI process w/conditions. DRC supports the petition and the staff recommendations for conditions of zoning.
9 :58:00 PM	CM Leonard	Planning Department is working on the grid network and tonight's proposal is that this applicant will tie into the grid network.
9 :59:41 PM	CM Faris	Is this site plan specific? Condition #2 is vague and needs to be reworded.
10:03:12 PM	Applicant	Michael Meddick, Architect with John Wieland Homes. One-story retail buildings would front Main Street - office buildings behind it - retail commercial space behind that with residential above them. Moving back into the site are condo's that are alley served - accessed via rear alley by elevator. Then there are townhomes, a park called "Market Place", clubhouse location, surrounded by different home types - including single-family, greenspace, and area that ties into the trail system.
		This will be a pedestrian friendly neighborhood. More dense along Main Street and less dense as it filters back along wetlands.
10:10:50 PM	CM Brewer	Applauded applicant for working with staff to adhere to grid network. Concerned that not one of the roads is a clear path for through traffic. Feels this will make it extremely difficult.
10:11:59 PM	Applicant	In working with staff, worked to calm traffic with a type of round-a-bout. at Market Street. CM Brewer is in favor of a round-a-bout but concerned that what is shown on the site plan will create confusion.
10:13:40 PM	CM Casdia	Whole purpose was to have alternate routes to Main Street - this defeats the whole purpose.

10:14:40 PM	Richard McLeod	Modeled market street after Savannah with squared off park. The one closest to Main Street looks like the most direct route - but there is a 15-20' grade at the end site where it connects to Wal-Mart is not shown on site plan as being carried on through at this time, but has asked that the developer leave that land open for later connection. To make it happen you have to grade offsite.
10:17:18 PM		Needs to be spelled out that they will dedicate the right-of-way to the City to carry out the road or Council is considering have them build the road out to the end of their property with a condition that the adjoining property owner finish it out once that property redevelops.
10:19:48 PM	CM Casdia	Does there have to be a park in the middle of the development? Applicant felt it was important to help maintain the character of the neighborhood. Doesn't have to be - no, but would like it to be.
10:22:36 PM		CM Casdia had concerns that this wasn't the plan for the grids. CM Brewer stated there are other ways to meet the objective - tree lined streets, on=street parking, etc.
10:27:55 PM	Applicant	Mr. John Wieland stated that he is very happy to be here.
10:33:13 PM		Add condition of zoning #15 - that we need an easement for the Noonday Creek sewer line on their property - applicant to donate at no cost to City.
10:34:24 PM		Add condition - approving a variance not to exceed 60' for the three story office/retail buildings within the DTRO zoning. This is not in the historic overlay. Currently allows for 40'.
10:35:40 PM		Add condition of zoning for applicant to stub out (build out road) to property line on north/south except road E where it meets old Walmart site - ROW will be dedicated (legal wording to be provided).
10:36:23 PM	Charlie Biel	Will be difficult to build pavement to end of property line and then have a large drop at Wal Mart site.
10:37:10 PM		He recommends that instead - all right-of-way be reserved - and build all north south connections where possible as determined by the engineers.
10:38:43 PM		Susan Stuart, Assistant City Attorney asked Mr. Wieland would be willing to dedicate the parcel to the City of Woodstock for future development.
10:39:44 PM		Council was against this, wanted it stubbed out to avoid a problem with homeowners.
10:41:18 PM		Susan Stuart stated that by putting it in the deed and on record in the covenants that a road will go here.
10:42:25 PM	Jarvis Middleton	Creating an engineering property issue - where one property owner is going to have to match up the road which is a great expense.
10:45:40 PM		CM Brewer stated that at a later date the adjoining property owner could lose valuable property to build the road up.

10:46:41 PM		Add condition of zoning that a road will be stubbed out except at road E on the site map where it connects to the Wal Mart site and add on the conveyance
10:49:31 PM		No one signed up to speak at the public hearing.
10:49:39 PM		CM Brewer had questions about the DRI where it talks about the DRI and phase II road improvements - road improvements on Main Street and Dupree Road. Do we have a plan to meet all the requirements of this development/plan.
10:51:02 PM	Richard	GRTA asked for one traffic study. This development has no direct connection on Dupree. Everything will be accommodated - City Engineer has right to require certain traffic devices at certain places.
10:52:18 PM	CM Brewer	Wanted to make sure we had a current plan in place to meet these infrastructure needs.
10:52:35 PM	Richard	Everything covered via Hedgewood Development or TAD or as developments happen.
10:52:58 PM	CM Brewer	Round-a-bout needed at Serenade and Breezy Hill Lanes. Concerns about railroad track - could it be worked around - possibly through an auxiliary right turn lane. Feels it would keep traffic moving at all times.
10:54:06 PM	Jarvis Middleton	Railroad becomes a major player trying to squeeze that in there - they want you a certain distance away - being that distance away would impact Breezy Hill development.
10:55:32 PM	Richard McLeod	Warrants further evaluation - would be off-set so far towards Breezy Hill that it wouldn't be centered properly.
10:56:07 PM	CM Brewer	Asked that we look into it to see how feasible it is. He asked John Wieland to keep this open as an option - they wouldn't be asked to pay for the entire project.
10:57:11 PM	CM Baxter	Is there a reason why its not walking trails? No, per Richard - can change wording to be multi-use trail.
10:57:56 PM	CM Faris	Continue to add more residential than commercial - 50,000 square feet is nothing to ask. Would rather go with the Planning Commission's recommendation of 100,000 sq. feet.
10:59:00 PM	CM Casdia	Asked why applicant only asked for 30,000 originally. Applicant is happy with 50,000. Never had to build a certain amount - meets market demand. If demand is there they will build it. Don't want to build something they can't lease/sell.
11:00:56 PM		Building B of Hedgewood is approximately 12,000 sq. ft of commercial (bottom) floor.
11:01:16 PM		CM Brewer asked that we add another condition that staff and developer work together on an indepth study of feasibility of a round-a-bout at entrance.
11:04:24 PM		Clarify # 10 - City shall initiate the acquisition of the necessary ROW from street G from the south to the existing cul-de-sac the applicant shall be responsible for construction of the road connection.
11:07:24 PM		Add 100,000 sq. ft. of commercial space.
11:07:49 PM		(#10 - no holding per # of co's - strike)

11:08:12 PM		Add to #2 - conceptual grid network
11:08:26 PM		Motion to approve - Faris/Brewer - discussion - CM Casdia against the 100,000 commercial square footage. CM Faris said we are out of whack city-wide on the commercial vs. residential. Anything less doesn't meet the vision of the downtown master plan. CM Brewer - the more you cut out the commercial - the more you cut out the live work and play.
11:10:40 PM		CM Leonard asked for clarification on round-a-bout study - is it a feasibility study? Yes
11:11:06 PM		CM Brewer- indepth study and analysis of installing a round-a-bout - exact wording. Wants a serious effort to see if this will work. Doesn't know dollar figure or time limit. Staff will have to let Council know that they've done due dilligence.
11:12:21 PM		All in favor. Motion carried 6-0.
11:12:38 PM	Item 8A	Discussion of Public Works Building Site Preparation - Phase I. This is part of a \$1.6 million dollar package - we've brought it down to \$538,062 by doing some of the work ourselves. The funds are available in SPLOST II. This has nothing to do with the consolidation of the water/sewer.
11:14:36 PM		Cousins may be awarding the bid for grading this week that we may be able to piggyback off of.
11:15:22 PM		Motion to approve - Brewer/Mueller. All in favor. Motion carried - 6-0. Mayor stepped out.
11:15:48 PM	Item 8B	Motion to table Granicus - Leonard/Brewer. Motion carried 6-0.
11:16:18 PM	Item 9A	Tabled
11:16:25 PM	Item 9B	Fire department has noticed a dip in the road at Woodstock Station. Safety hazard for large emergency vehicles. The cost to repair is \$10,100. Motion to approve - Leonard/Mueller. All in favor. Motion carried 6-0.
11:17:54 PM	Item 10	Comp Plan Update
11:18:16 PM		Consultant feels that if we wait until July 23rd then the County will be waiting on us. According to Margaret Stallings with Cherokee Co, the steering committee didn't want the consultants in their meetings.
11:19:30 PM		Bill Ross, Consultant met with County staff yesterday that raised concerns. Some of their changes to affect our character areas. Have been major changes to character areas that surround us. We have to review their 70 page document to see what those are. We will be the hold up if we wait until July. Not recommending anything, but wanted to make us aware.
11:21:23 PM		July 24th is holding a meeting with the original stakeholders. Richard to contact County asking them to get the City the information by July 3rd so Council will have time to digest the information and possibly vote on July 9th.
11:26:19 PM		Mayor asked Council to read the letter about Springfield Park.

11:26:45 PM	Executive Session -	Personnel - Mueller/Faris. All in favor. Motion carried.